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July 18, 2016

VIA ECF AND FACSIMILE (212-805-6724)

Honorable Frank Maas
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: United States v. Kaleil Isaza Tuzman, No. S1 15 Cr. 536 (PGG)

Dear Judge Maas:

We respectfully submit this letter on behalf of our client, Kaleil Isaza Tuzman, to request a minor modification to the bail conditions that Your Honor set on Friday, July 15, 2016. At the bail hearing, the Court ordered, among other things, that Mr. Isaza Tuzman be subject to strict pretrial supervision, including home detention with electronic monitoring. We informed Your Honor at the hearing that we anticipated that our client would reside with his father, Luis Orlando Isaza, in Holyoke, Massachusetts. The Court's bail order thus noted that Mr. Isaza Tuzman would reside with his father in Holyoke and that electronic monitoring would be set up there.

We are informed that Mr. Isaza Tuzman's father currently resides with Mr. Isaza Tuzman's sister, Intiya Isaza-Figueroa, in Ms. Isaza-Figueroa's one-bedroom home in Holyoke, Massachusetts. Although Mr. Isaza Tuzman and his father had originally planned to rent an apartment together in Holyoke, Intiya does not have sufficient space in her home to house both her father and brother. Thus, our client cannot presently reside with his father and sister in his sister's small home in Holyoke.

In addition, given the requirement of home detention, Mr. Isaza Tuzman and his counsel believe that Mr. Isaza Tuzman should reside in the Southern District of New York so that he can more easily attend meetings with his counsel to prepare his defense, tend to his substantial medical needs, and attend business meetings in the Southern District of New York. Mr. Isaza Tuzman does not believe that he will be able to obtain gainful employment or pursue business opportunities while residing under home detention in Holyoke, Massachusetts. Moreover, lengthy travel between Holyoke and New York would greatly diminish Mr. Isaza Tuzman's ability to prepare his defense with counsel. Indeed, given the requirement that Mr. Isaza Tuzman reside in a *single*, approved residence, home detention in

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Massachusetts would prevent Mr. Isaza Tuzman from attending consecutive, multi-day meetings in New York to prepare his defense. Such multi-day meetings are needed in particular because the government will likely produce more than one million pages of documents to the defense, and counsel have not had a meaningful ability to prepare our client's defense with him while he was imprisoned for the past ten months in Colombia.

Accordingly, we respectfully request that the Court modify the terms of our client's bail to permit Mr. Isaza Tuzman to reside with Marty Feinberg in the Southern District of New York under home detention enforced through electronic monitoring. Mr. Feinberg resides at 515 East 79th Street, Apt. 20B/C, New York, NY 10075. His landline phone number is (212) 288-4006.¹ We have conferred with AUSA Damian Williams, who informs us that the government consents to this request on the condition that Mr. Isaza Tuzman be supervised by Pretrial Services in the Southern District of New York and that any request to travel to the District of Massachusetts be subject to Court approval.

Thank you in advance for your consideration.

Respectfully submitted,



Avi Weitzman

cc: Damian Williams, USAO/SDNY (*via ECF & E-mail*)
Andrea Griswold, USAO/SDNY (*via ECF & E-mail*)

¹ We note that Mr. Isaza Tuzman's co-defendant, Robin Smyth, was permitted to live with a friend, Robert Petty, at Mr. Petty's home in the District of Connecticut, as a condition of his release.